

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

ROMAN RAMAR CERDA, #113045

PLAINTIFF

v.

CAUSE NO. 1:12CV298 LG-JMR

**GEORGE COUNTY REGIONAL
CORRECTIONAL FACILITY**

DEFENDANT

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND DISMISSING CASE FOR FAILURE TO PROSECUTE**

This cause comes before the Court on the Report and Recommendation [26] of United States Magistrate Judge John M. Roper, Sr. entered in this cause on February 5, 2014. Judge Roper's review of the procedural history of this case shows that plaintiff has failed to keep the Court informed of his current address, and has failed to respond to an order of the Court. Additionally, plaintiff requested that the Omnibus Hearing scheduled in this case be cancelled. Judge Roper concluded that plaintiff's actions are indicative of a lack of interest in pursuing this case, warranting dismissal pursuant to FED. R. CIV. P. 41(b). Plaintiff received a copy of the Report and Recommendation on February 7, 2014, but he has not filed an objection to the findings or recommendations of the Magistrate Judge. Therefore, the Court need only review the Report and Recommendation and determine whether it is either clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). After having reviewed the Proposed Findings of Fact and Recommendations and the record in this case, the Court finds the Magistrate Judge's conclusions neither clearly erroneous nor contrary to law.

IT IS THEREFORE ORDERED AND ADJUDGED that the Report and

Recommendation [26] of United States Magistrate Judge John M. Roper, Sr. entered in this cause on February 5, 2014, should be, and the same hereby is, adopted as the finding of this Court.

IT IS FURTHER ORDERED AND ADJUDGED that the plaintiff's claims are **DISMISSED** without prejudice pursuant to FED. R. CIV. P. 41(b) for failure to prosecute.

SO ORDERED AND ADJUDGED this the 7th day of March, 2014.

s/ *Louis Guirola, Jr.*
LOUIS GUIROLA, JR.
CHIEF U.S. DISTRICT JUDGE